IN THE

Supreme Court of the United States.

OCTOBER TERM, 1901.

No. ———. Original.

THE STATE OF NEBRASKA, Plaintiff,

vs.

THE STATE OF MISSOURI, Defendant.

MOTION FOR LEAVE TO FILE ANSWER TO CROSS BILL OF NEBRASKA.

To the Honorable Chief Justice and Associate Justices of the Supreme Court of the United States:

Comes now the defendant, by its Attorney-General, Edward C. Crow, and moves the Court for leave to file its answer to the cross bill of the state of Nebraska.

Attorney-General of Missouri.

Office Supreme Court U. S.
FILED
APR 21 1902
JAMES H. McKENNEY,
Clerk.

IN THE

Supreme Court of the United States.

OCTOBER TERM, 1901.

No. 65. Original.

THE STATE OF MISSOURI, Plaintiff,

vs.

THE STATE OF NEBRASKA, Defendant.

MOTION FOR LEAVE TO FILE REPLICATION TO DEFENDANT'S ANSWER.

Attorney-General of Missouri.

TRIBUNE PUB. CO., JEFFERSON CITY.

IN THE

Supreme Court of the United States.

OCTOBER TERM, 1901.

No. ———. Original.

THE STATE OF MISSOURI, Plaintiff,

vs.

THE STATE OF NEBRASKA, Defendant.

MOTION FOR LEAVE TO FILE REPLICATION TO DEFENDANT'S ANSWER.

To the Honorable Chief Justice and Associate Justices of the Supreme Court of the United States:

Now comes the plaintiff in the above entitled cause and moves the Court for leave to file its replication to defendant's answer.

Attorney-General of Missouri.

N. 5, original.

IN THE

Supreme Court of the United States.

OCTOBER TERM, 1904.

STATE OF MISSOURI, Complainant,

vs.

STATE OF NEBRASKA, Defendant.

STIPULATION.

In the opinion of the Court in the above entitled cause, the order and finding of the Court having been made as follows:

"It appears from the record that about the year 1895 the county surveyors of Nemaha county, Nebraska, and Atchison county, Missouri, made surveys of the abandoned bed of the Missouri river, ascertained the location of the original banks on either side, and to some extent marked the middle of the old channel. If the two states will agree upon these surveys and locations as correctly marking the original banks of the river and the middle of the channel, the Court will, by decree, give effect to that agreement; or if either state desires a new survey, the Court will order one to be made and will cause monuments to be placed so as to permanently mark the boundry lines between the two states. The disposition of the case by final decree is postponed for thirty days in order that the Court may be advised as to the wishes of the parties in respect to these details."

In pursuance whereof now comes the parties hereto by their respective counsel and agree that the said surveys made by the county surveyors of Nemaha county, Nebraska and Atchison county, Missouri,

as reported by the commissioners and set forth in the opinion of the Court constitute and be the correct boundary line between said states, the same constituting the middle of the old channel of Missouri river as found by said Court in its opinion.

It is further agreed between the parties hereto that the monuments marking said boundary line established by the said county surveyors of said counties are not of a permanent character and many of them have become destroyed or removed, and that in order to mark a permanent boundary line it is necessary and is deemed best that permanent monuments be erected at regular intervals on said line in such manner as will quiet all dispute in reference to said boundary.

It is further agreed that said permanent monuments can be best established under the supervision of the commissioners heretofore appointed by the Court, to wit: Alfred Hazlett and John W. Halliburton, and it is therefore requested by the parties to this cause that the Court, by a proper order, direct and require said commissioners to establish or cause to be established under their direction such permanent monuments as may by them be deemed necessary in the premises and in accordance with the order of the Court heretofore made, and make a report to the court of their acts and doings therein. In the execution of their powers herein said commissioners shall have authority to employ such surveyors and other assistants and procure such material as may be necessary in the establishment of the permanent monuments marking said boundary line in accordance with the opinion of the Court heretofore rendered and this agreement.

It is further agreed that said commissioners for their services herein shall receive such compensation as may be agreed upon by the respective parties, and if the parties are unable to agree, then such as may be fixed by the Court after the services have been performed and due report thereon made.

On account of the unfavorable condition of the weather during the winter months and of the character of the ground during the spring months, the parties hereto respectfully request the Court that said commissioners be granted until the first day of May, 1905, in which to make their report.

State of Missouri, Complainant, by

Edward C. Crow

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Attorney-General.

James B. Jeffries

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Assistant Attorney-General.

State of Nebraska, Defendant, by

E. B. Smith

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